

William N. "Bill" Mitchell

A fellow. The tombstone is in a little cemetery right outside of Steins, New Mexico, a ghost town located just off of Interstate 10, a short distance before you enter Arizona. As it turned out I had never heard of the fellow, but I figured that anyone with that many aliases had to have some shady background. So I began to look into it. I was on the way to the Wild West History Association Roundup where I knew there would be some real New Mexico historical authorities but came up with no information on Mitchell. Then I asked Bob McCubbin about the alias of Henry "Baldy" Russell. He then knew all about the fellow and told me he had a book about him written by Dr. C. L. Sonnichsen. I immediately ordered a copy of the book and discovered a fascinating tale of Old West murders, feuds and vengeance that was 30 years in the making. "Baldy" Russell was the name for which he was most noted, except around the little Texas town of Granbury and Hood County. Over the thirty plus years of being an outlaw and on the dodge from a murder committed in Texas, he also used the aliases John W. King and John Davis.

Mitchell was probably born in Ouchita County, Arkansas, on April 16, 1852. He was the son of Nelson "Cooney" Mitchell and Cooney's second wife who was part Cherokee. She provided him with a large family—four girls and three boys. Bill Mitchell's brothers were Jeff and Dan; his sisters were Lou, Annette, Georgiana and Armenta. Cooney was sixty years old when he caught the Texas fever and crossed the Red River to settle first in east Texas near Palestine; then they moved to Erath County, and finally settled on a bend in the Brazos River in Hood County. The bend was near Granbury and would-be known as Mitchell's Bend.

Cooney and Bill Mitchell were hunting for cows one day when they came upon an immigrant family camped on their land. This was not unusual in the Texas of the early 1870s, but this seemed to be a very poor family. The story is that they had absolutely nothing except a passel of kids, a broke down wagon and two ponies, one of which was dead. The Mitchells took them home, helped build a log cabin on adjacent land, and put their own meat in the smokehouse when it was finished. Today, none of that story can be verified as fact, but the fact that the Mitchells befriended the Truitt family cannot be doubted. The two families were friendly for a number of years.

The Truitt family was led by Perminter Morgan Truitt who was originally from Buncombe County, North Carolina. He arrived in Texas in 1839 when he was twelve years old. At the outbreak of the Mexican War he joined Hay's Texas Rangers in the First Regiment of Texas Volunteers and fought in several skirmishes and was sent home when he received a wound in the hand. Two years later he married Margaret Ann Strickland who gave him three children; James, Sam and Mary. Margaret Ann died in 1854 and a year later he married Mrs. Ellen Smith Green. Ellen provided seven more children; John, Isaac, Alfred, Lucretia, Perminter, Leander and Amanda. In 1862 he left the family to become a Second Lieutenant in Company C., Baylor's Regiment, Arizona Brigade of the Texas Cavalry. Nothing is known of his experiences in the Confederacy. Sometime after the war the whole family arrived at Mitchell's Bend in Hood County.

James Truitt left home to get an education and had a secret desire to become a minister. While in school, he attended the Methodist church as often as possible. Soon the elders of the church were inviting him to preach. Later, Cooney would claim that he had bought James his first suit when he became a preacher.

The two families continued to be friends for years, but eventually something started to build up a friction. Exactly what it was is not recorded in history. But the culmination came, as it often did, over a land dispute. The Truitts had prospered and they bought some property contiguous to the Mitchell land. A dispute developed when both parties claimed ownership of a narrow strip of the land. By the beginning of 1874 there was open hostility and the boys of the two families had personal encounters.

On Saturday, March 28, 1874, the lid really came off over a court decision made that day. Cooney Mitchell was suing Perminter Truitt for money he claimed was owed him. Truitt was disputing the claim and the jury decided in favor of Truitt.

There are two versions of what happened that Saturday evening as the two parties headed for home. As the Truitts were about six miles out of town they were overtaken by Cooney and Bill Mitchell, Mit Graves and W. J. Owens (both son-in-laws of Cooney) and a neighbor, James Shaw. This version of the story says that Bill Mitchell and Mit Graves opened fire with double-barreled shotguns. Sam Truitt was killed immediately and James Truitt was hit with nine buckshot in his back. The youngest Truitt, Isaac, was mounted on a mule and was soon overtaken and shot at such close range as to have powder burns on his body. James was pursued all the way to his home where he told the rest of the family the story. The Mitchells withdrew.

Several members of the aforementioned jury were passing by the scene on their way home when they found the bodies of the dead boys. They picked them up and took them to the same home where James sought refuge. James lingered on until 11:00 the next morning before he expired.

We don't know how much of this story is actual fact, but the death of James was reported prematurely. Yet it is the story that was reported in many Texas newspapers.

The Mitchells remembered the events a little different. Their version was still the story that was told by old-timers around Granbury as late as the 1930s, but was never printed. They say the Mitchells left town first and were about six miles out of town when they were overtaken by the Truitts. Old man Cooney was unarmed, but Bill Mitchell and James Shaw, bringing up the rear of the party, had shotguns with the stocks resting on their thighs and the barrels in the air.

The Truitts overtook them and rode around them making insulting remarks and singing a song that implied the Mitchells were pig thieves. They rode on by and a little way down the road pulled off and waited for the Mitchells to pass by. The Truitts rode past the Mitchells again, but this time Isaac rushed at Bill and snapped a shot at him with a derringer. Shaw saw it happen and immediately shot Isaac dead. Bill, thinking it was an all-out attack, killed Sam with his shotgun.

The only witnesses to the killings were the participants, so it is impossible to reconcile the two versions. However, the jury that had just made the decision in the court trial was immediately reimpaneled and indicted the Mitchell group. Cooney, Shaw and Owens were arrested and placed on trial for their lives. Bill Mitchell and Mit Graves evaded the lawmen. This was the beginning of thirty-three years of escape and evasion for Bill Mitchell.

The jury was convinced that James Truitt was telling the truth. Owens and Shaw who had not fired a shot were sentenced to life in the penitentiary where Shaw died and Owens was eventually pardoned. Cooney was sentenced to hang, even though he had been unarmed.

Cooney was now 79 years old and he was not afraid of death, but he did not want to suffer the disgrace of being hanged like a dog. The family's anger and grief was deep and they felt the disgrace of the sentence as keenly as Cooney did. They vowed to do anything they could to prevent the hanging. When it became clear that they would be unable to get the old gentleman away from the cell, it was decided they would help him help himself. They also knew they were not going to get anything to Cooney through the front door.

The old jail, no longer in existence, stood on a knoll and the back of the jail was on a 40 foot bluff that led down to the Brazos. On Tuesday night before the scheduled Friday hanging, the guards discovered an armed man crawling up the bluff. Not wanting to take a chance that there might be several men, they fired at the man approaching. All was quiet after that. The next morning they discovered Jeff Mitchell with the top of his head blown off. He was carrying a shotgun, a brace of pistols and a bottle of laudanum. There was a string from Cooney's cell to retrieve the items. The plan was that he would shoot his way out of the jail, and if that failed he would drink the bottle of laudanum.

Wednesday night, Cooney failed at several attempts to commit suicide. Friday morning, October 9, 1875, he was seated on his own coffin in the back of a farm wagon and driven to the place of execution. In his final words he called upon his son Bill, wherever he was, whatever he might be doing, however long it might take, to hunt down his father's murderers. Cooney posed a few questions to James Truitt who had come to witness the execution. Truitt refused to answer his questions and the sheriff drove the wagon from under him. Cooney became the first and only legal hanging in Hood County, Texas.

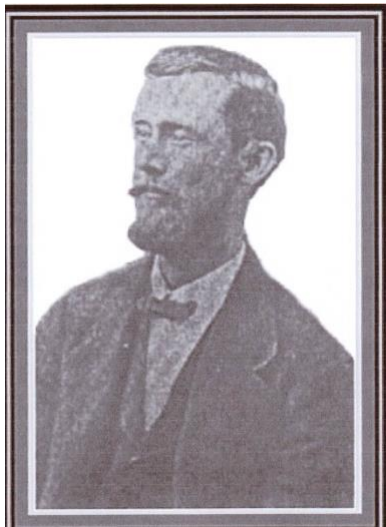
Cooney who was born November 16, 1796, in Granville County, North Carolina, and his son, Thomas Jefferson Mitchell, are both buried in the Mitchell Family Cemetery, on the old home site in Hood County, Texas.



**Cooney and Jeff's tombstones in the Mitchell Bend Cemetery
Photos courtesy of Find a Grave member Jay Follett**

As for the two fugitives, they both disappeared from the face of the earth, at least temporarily. One Sheriff reported that Mit Graves was living in California in 1907. The Mitchells report that he settled in Erath County near two of Cooney's daughters. He never figured again in the Mitchell-Truitt story and, if he did murder one of the Truitts, he got away with it.

Bill Mitchell is a different story. He headed for the most remote, desolate, inaccessible country he could think of to hide out, just northeast of Del Rio and Brackettville, Texas in Kinney County. He was an expert at being a fugitive. Not one bit of evidence shows that he was ever there. But one fellow, J. M. Balentine, testified in a 1910 trial that he saw Bill apply for a job there in 1874. Not one document in Kinney County carries his name or any of his aliases. Sometime during this time he had taken on the name John Davis. By the early 1880s he had left Texas for New Mexico and taken on something besides a new name. A divorcee by the name of Mary Holliday became Mrs. John Davis. Bill's life on the run now had become a joint affair. Mary would follow him for the rest of his life, through name changes and prison sentence, she was always there.



And Bill never forgot the final bidding of his father. The one thing he had to do was kill James Truitt (**photo at left**) whose testimony put the noose around his father's neck. In the meantime, Truitt had continued his life as a circuit-riding Methodist preacher. He knew Bill Mitchell had sworn to kill him, but he refused to carry a pistol saying, "If he ever shoots me it will be from the back." As the years went by he felt more secure, but could never completely move out from under the shadow. His reputation as a minister grew and in 1875 he was appointed to a mission in Waco, Texas. In 1880 he was transferred to the East Texas Conference.

By 1884 he had married Julia Phifer, had a son and two daughters that he had to provide for. So he resigned as a minister and, in 1885, he became the owner and publisher of the *Timpson Times*.



With Bill's required secrecy in hiding and Truitt's moving around, Bill had no way to locate him. Somehow, someway, and no one knows how it came to pass, Bill learned that Truitt was in Timpson. All Bill knew about Timpson was that it was about 400 miles east of Brackettville where he and Mary were now living. He put some bread and coffee in a bag, tied a coffee pot, blanket and slicker to his saddle and headed to Erath County where his brother Dan (**Photo at left**) lived. He wanted to borrow a big sorrel with blaze face and white stockings that Dan owned. When Dan asked why he wanted the horse, Bill replied, "I'm going to kill Jim Truitt." Dan was horrified and tried his best to dissuade him, but to no avail. Bill left on the sorrel and it would be a week before he heard anything else of Bill.

On July 20, 1886, he was within ten miles of Timpson when he met up with J. F. Carter, a young man driving his father's buggy. Twenty years later in 1907, Carter would not clearly remember the stranger that asked him for directions to Timpson.

Colonel T. S. Garrison also would not remember, in 1907, the stranger on the fine horse with a coffee pot and a gun. Not everyone carried guns in that part of Texas.

Just about dark he entered the town of Timpson. He asked a little black boy beside the road if he knew where Reverend Truitt lived. When the boy started to give directions, Bill offered him 15¢ to show him.

Bill walked to the front door where he could see that Jim was sitting in a rocking chair reading. Julia had just taken up a pencil and was going to write some notes about what Jim was reading. Their little dog barked as Bill walked through the front door without knocking and had a big pistol in his hand. The pistol was fired, the bullet entered Jim's head just above the right eye and ended up in the books behind him. The explosion blew out the lamp and the house was in darkness. He jumped on his horse and rode out of town. He was again seen by the colonel who described the man and horse riding at a gait to save the horse and cover distance.



**James' tombstone in the Woodlawn Cemetery in Timpson
Photo courtesy of Annette Alva, member of Find a Grave**

A posse followed his trail all that night, all the next day, and half that night until they lost it and had to turn back to Timpson. They did talk to people who had seen Bill and, for some reason, every one of them remembered the coffee pot.

Back in Timpson, some folks started to remember hearing about the feud. The local sheriff sent off to Nacogdoches for the famous man hunter, Sheriff A. J. Spradley. Upon hearing about the feud connection Spradley immediately departed for Granbury where he learned all about Cooney's hanging. He learned a man with a coffee pot spent two days at Dan Mitchell's place. He arrested Dan, who he knew was innocent, and took him to Timpson. Putting Dan in the Timpson jail, Spradley put together a fake lynch mob and had them talk over their plans right under the bars of Dan's cell. This scared Dan to the point that he told everything. He said the last he knew Bill was living in Fort Stanton, New Mexico. When Spradley got there he learned that Mitchell or King or Davis had left the area long before Truitt was killed.

A justice of the peace told Spradley about a John Davis over in Brackettville. Spradley figured by now Bill Mitchell had probably let his guard down to some degree. He was to learn that Bill never let his guard down. He learned that Bill had been staying in a camp with a family known as Beckets, but no one in Brackettville would accompany him into that wild wilderness. So he obtained a horse and found it on his own. The Brackets were not at all friendly. Bill was not there and they were using a coffee pot like the one everybody had seen. On the way out he noticed a man sitting high in the rocks with a rifle across his knees.

Spradley notified the Texas Rangers, but when they reached the camp Mr. & Mrs. Davis were long gone. It was not until 1907 that Bill Mitchell's location became known. In fact it was March 23, 1907, when Otero County, New Mexico Sheriff, H. M. Denny, informed Deputy Ben Wooten to pack up for a few days trip into the mountains to make an arrest. Sheriff Denny was a big fellow and Deputy Wooten was even bigger. Wooten was well into the trip before he finally asked the Sheriff who they were going to arrest.

"Well, Ben," Denny replied. "Baldy Russell is wanted in Texas for murder and we're going to arrest him."

Ben was totally shocked by that answer. "We're going to arrest *him*?"

After a few minutes Ben said, "I wouldn't have left Alamogordo if I had any idea this is what you were up to." But the sheriff laid out a plan and they proceeded on to find Baldy Russell.

They arrived at Russell's place which was just about seven miles north of the little town of Estey, New Mexico, in the afternoon. They presented themselves to Mrs. Russell (or Davis) as Baldy wasn't at home. Mrs. Russell's son, George Holliday, and a few boys from the neighborhood were there. Denny told the story that they were looking to purchase some promising mining property and heard Mr. Russell had some claims. The boys confirmed that he did and said they could talk to Russell in the morning. The lawmen then made a camp out by the corral.

The next morning they met their man. He was lean, muscular, in his late 50s and bald as a cucumber. His eyes were sharp and watchful and his manner not encouraging.

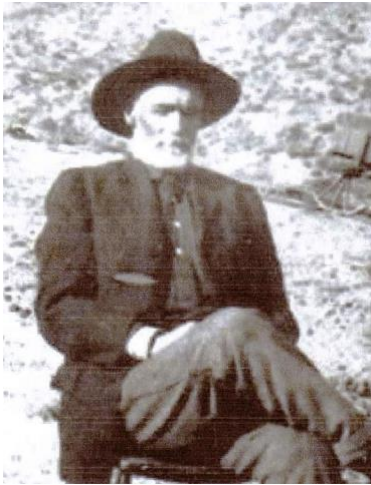
Denny told him they were looking for some good mining property and said there probably wasn't anything like that around. Baldy jumped on the bait and declared there surely was and within walking distance.

When they got a sufficient distance from the house they made their play and each of the lawmen grabbed him by an arm. Baldy put up a good fight, but he just wasn't a match for the two big men. They took him back to the house, bid farewell to the family and took him to Carrizozo, New Mexico, and put him on a train. Baldy swore to kill both of the Sheriffs, but thought better of that later on.

Baldy, or once again Bill Mitchell, was returned to Granbury and indicted in the murder of Sam and Isaac Truitt. Even after being on the run for the murder for 33 years, he was placed on bond of \$6,000. But he was only free for about 30 seconds when he was arrested for the James Truitt murder. They took him to Center, Texas, for a hearing. James' wife was now Julia Bishop and she came from Chicago to attend the hearing and identified Mitchell as the killer. He was indicted and the trial was set for a month later.

The jury could not agree and the judge declared a mistrial after 65 hours of deliberation. Seven jurors were for a guilty verdict and five for not guilty. The court set a \$20,000 bail and scheduled a new trial for February, 1908.

So it was back to jail in Granbury for that murder trial. The most sensational evidence in this trial, which could be recorded only from old-timers memory as the courthouse later burned, related to the derringer which the Mitchells claimed to have been fired by Isaac Truitt. The derringer had been impounded by the state right after the killing and had not been produced or mentioned until Bill's trial. W. A. Owens who had gone to prison and then pardoned, managed to get the message to Sam Knight, the jury foreman, that the derringer should be entered into evidence. If it had been fired, it would give strong indication that Isaac had fired at the Mitchells as they had claimed. It was introduced and it had been fired. If this had been placed in evidence 33 years earlier there is a real strong possibility that Shaw would not have spent his last years in prison; Owens would not have spent years in prison; Cooney would not have been hanged; Bill would not have spent 33 years on the dodge and James Truitt would be alive. The jury ruled not guilty.



Back in Center, Texas, the second trial for the James Truitt murder case began on March 9, 1908 and the trial went very much as the first one. On March 12, it went to jury and on March 14, was again declared a mistrial because the jury could not agree. The judge granted a change of venue to Cherokee, Texas.

Out on the same \$20,000 bail, Bill (**Photo at left**) headed for New Mexico and became Baldy Russell again and Mary was with him. Thanks to lawyer maneuvering and some shenanigans on his own, he managed to remain in New Mexico for three years. The trial should have been called in June, but wasn't called until January 11, 1909. Bill didn't show up. Instead a notarized doctor's affidavit was presented stating that he had been down with bronchitis for 30 days and was still unable to travel. The judge accepted the excuse and set the

new date for the first Monday in January 1910. Two more motions took the date out to December 23, 1910, and the trial was finally underway.

The defense did their best to put reasonable doubt on the eyewitness identification of the killer. Bill's appearance had changed somewhat over the years and he now sported a bristly beard and moustache. The lawyers said the description sounded like Mit Graves who had never been caught and had the same motive to kill James Truitt as Bill. Truitt would be the only one who could identify Graves as one of the killers of the Truitt boys. And now J. F. Carter and Colonel Garrison were sure that Bill was not the man they had seen. This time the verdict was guilty and the sentence was life. The lawyers could not keep him out of jail, but they did keep him out of prison as they requested a new trial. Then they filed an appeal when the new trial was refused. The appeal failed and on March 25, he was finally incarcerated in Huntsville as prisoner number 32924.

He had a clear record as a prisoner for a little over two years. Then on July 14, 1914, he escaped. One rumor says the warden told him to go home for Christmas and come back when he was ready. The family said he was working an outside detail and just walked away. Whatever the reason, there was never an attempt to recapture him.

Mary was staying with some of the Mitchell family about 50 miles from Mitchell's Bend. One night a man came to the door with a message. Mary packed up and headed for New Mexico. She must have reached New Mexico before Bill who had stopped to see Dan. She was staying with Bill's daughter in Capitan, New Mexico when Bill arrived.



Baldy and Mary

It was the last time the two were seen for a long time and it was Bill Mitchell's last appearance anywhere. They were back to being Mr. and Mrs. John Davis, which made Mary happy. They left New Mexico and moved to San Simon, Arizona. Bill, Baldy, or John died in Douglas, Arizona, on June 26, 1928. Sometime after his death Mary returned to New Mexico and died there on July 10, 1941. She is buried in Our Lady of the Light Catholic Cemetery in La Luz, New Mexico.



The tombstone of William N. "Bill" Russell, alias John W. King, Henry "Baldy" Russell, and John Davis located in the Steins, Cemetery.

Photo courtesy of Matthew Aparicio, a fellow member of the Sons of Confederate Veterans

Source: *Ten Texas Feuds*, by C. L. Sonnichsen

Outlaw *Bill Mitchell Alias Baldy Russell: His Life and Times*, by C. L. Sonnichsen